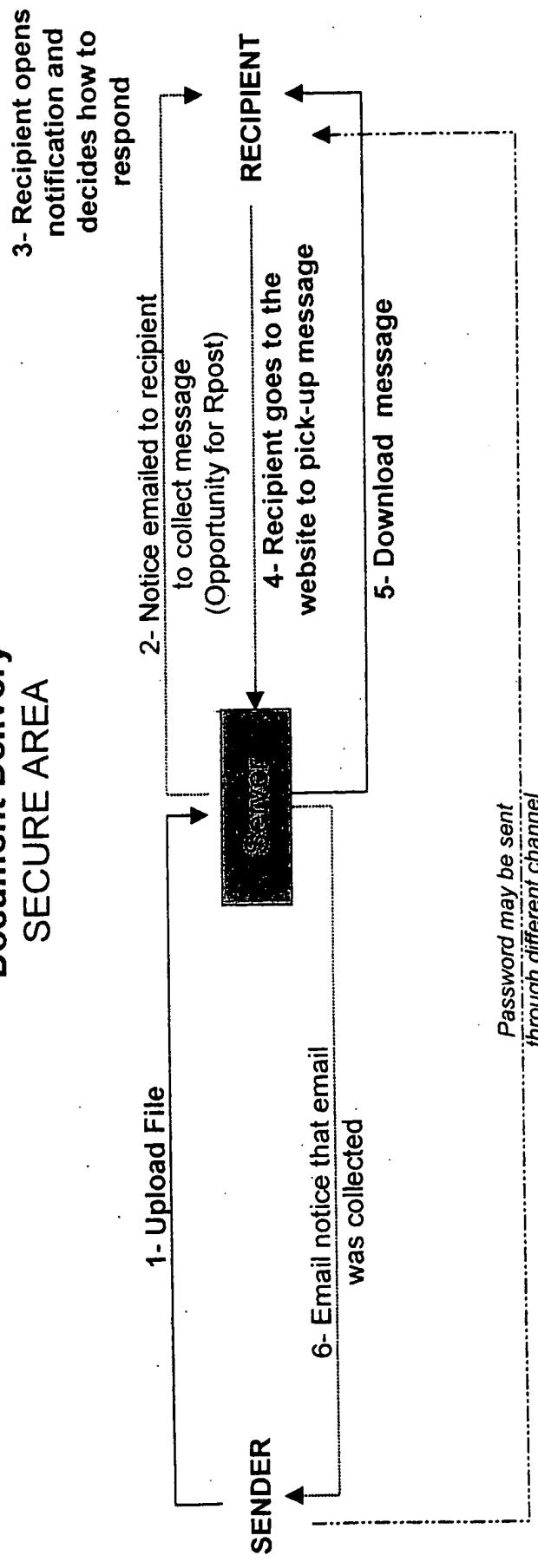




# Marketplace Competing Technologies

## Document Delivery SECURE AREA



### Players

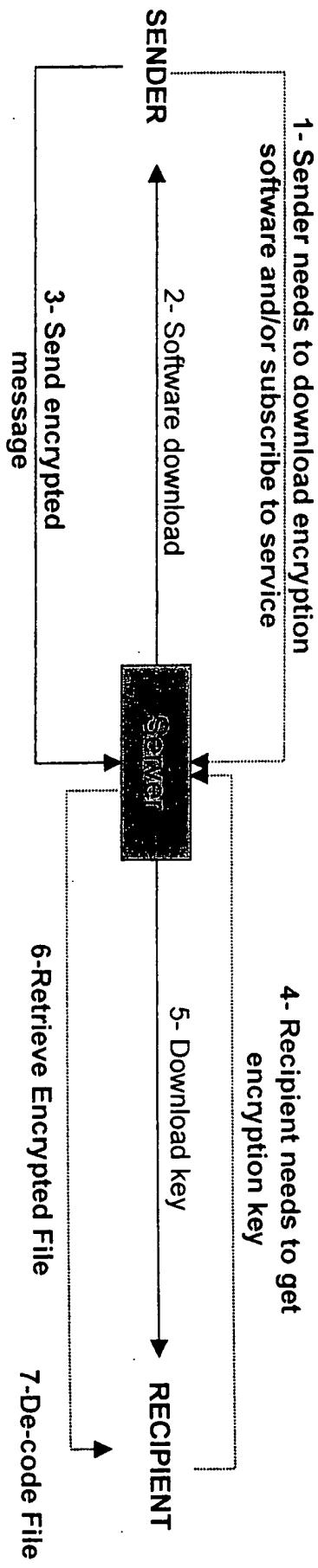
- Certified email
- Registered email
- etc.

### Disadvantages

- Extra actions required from recipient
- No verification that recipient was notified
- Limited to document delivery

## Marketplace Competing Technologies

### Document Delivery SECURE SOFTWARE



#### Players

- Tumbleweed
- Zixmail
- Postix
- etc.

#### Disadvantages

- Cumbersome unless communicating with same person all the time
- Not universal
- Limited to document delivery
- Low volume potential

# FULWIDER • PATTON

INTELLECTUAL PROPERTY LAW  
LOS ANGELES      LONG BEACH

Richard A. Bardin      John V. Hanley      David G. Majdali  
 Gilbert C. Kovelman      John K. Fitzgerald      Richard C. Salfelder  
 Vern Schooley      Richard B. Cates      Lisa A. Karczewski  
 James W. Paul      Paul Y. Feng  
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 Robert W. Fulwider (1903-1979)  
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 FAX (310) 824-9696

May 10, 2001

Mr. Zafar Khan  
 c/o RPOST, INC.  
 5777 West Century Boulevard  
 Suite 1790  
 Los Angeles, CA 90045

Re:    U.S. Patent Appln. Ser. No. 09/626,577  
 Entitled: SYSTEM AND METHOD FOR VERIFYING  
 DELIVERY AND INTEGRITY OF  
 ELECTRONIC MESSAGES

Filed: July 27, 2000  
 Inventors: Terrence A. Tomkow  
 Our Docket No. RPOST-57228

Dear Zafar:

The above application was recently transferred to our office from Oppenheimer Wolff & Donnelly. We note upon looking through the file that no Information Disclosure Statement ("IDS") was filed. Therefore, enclosed is an Information Disclosure Statement by Applicant for which we are conducting an IDS for the patents listed below. They are as follows:

4,933,969	5,530,757	5,606,609	5,615,268
5,661,805	5,673,316	5,748,738	5,781,629
5,872,848	5,915,024	5,926,550	

FULWIDER • PATTON

Mr. Zafar Khan  
RPOST, INC.  
May 10, 2001  
Page 2

These prior art references were listed in a letter dated November 20, 1999. A copy of this letter is enclosed for your information.

The U. S. patent law requires that the inventor and his attorney make a full disclosure to the Patent Examiner of all art known to be relevant to the examination of a patent application. Such art can include, for example, prior patents, printed publications, prior sales by yourself or another, or in general any prior public disclosure, teaching, or suggestion of the approach used in your patent.

The proper approach for responding to this requirement is to prepare an Information Disclosure Statement disclosing the reference material to the Patent Office. Aside from the above identified patents, if you or Dr. Tomkow are aware of any other information, either in the form of printed material or otherwise, that might be relevant to the examination of your above-identified patent application, please let me know. Then we can together decide whether the information is properly to be disclosed to the Patent Examiner. The standard of materiality includes anything that a Patent Examiner might reasonably think was relevant to the examination of the patent application. You and Dr. Tomkow should give this standard a broad interpretation, and let me know anything that you and Dr. Tomkow think might in any way be relevant to the examination of the patent.

The disclosure of reference materials to the Patent Examiner is beneficial both to the patent system and to yourself as inventor and owner of the patent. If all relevant materials are disclosed to the Examiner so that he can consider them, then any patent which is allowed over these reference materials is substantially strengthened and more difficult to attack by an infringer at some later time.

Also enclosed are three (3) copies of an assignment for execution by Dr. Tomkow. Please have Dr. Tomkow execute two (2) copies and return them to us at his early convenience. We will then file the assignment in the Patent Office.

Also enclosed is a Revocation of Power of Attorney and Appointment of Attorney appointing us as an attorney in the application. Please execute two (2) copies at your early convenience and return them to me.

FULWIDER • PATTON

Mr. Zafar Khan  
RPOST, INC.  
May 10, 2001  
Page 3

If you have any questions, please feel free to call.

Cordially,

*Ellsworth R. Roston*

Ellsworth R. Roston  
For FULWIDER PATTON LEE & UTECHT, LLP

ERR:dmc:205000.1

Enclosures

Substitute for form 1449A/PTO				Complete if Known	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>				Application Number	09/626,577
				Filing Date	July 27, 2000
				First Named Inventor	Terrence A. Tomkow
				Group Art Unit	2756
				Examiner Name	
Sheet	1	of	1	Attorney Docket Number	RPOST-57228

## U.S. PATENT DOCUMENTS

Examiner Signature		Date Considered	
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204990.1

A S S I G N M E N T

WHEREAS, I, TERRENCE A. TOMKOW, of the County of Los Angeles, State of California, have invented certain new and useful improvements in SYSTEM AND METHOD FOR VERIFYING DELIVERY AND INTEGRITY OF ELECTRONIC MESSAGES for which I have filed application 09/626,577 on July 27, 2000, for SYSTEM AND METHOD FOR VERIFYING DELIVERY AND INTEGRITY OF ELECTRONIC MESSAGES to obtain a United States Letters Patent thereon; and

WHEREAS, RPOST INTERNATIONAL, INC., a Bermuda corporation, hereinafter called Assignee and having its offices and place of business at 5777 West Century Boulevard, Suite 1790, Los Angeles, California 90045, is desirous of acquiring the entire right, title and interest in and to the aforesaid invention and in and to application 09/626,577 and in and to any and all Letters Patent therefor granted in the United States of America, and in any and all countries foreign thereto on said invention and on said application 09/626,577;

NOW, THEREFORE, TO WHOM IT MAY CONCERN, be it known that, for and in consideration of the sum of One Dollar (\$1.00) to me in hand paid by the said Assignee, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, I, TERRENCE A. TOMKOW, by these presents do sell, assign and transfer unto said Assignee, its successors, assigns and legal representatives the full and exclusive right, title and interest for the territory of the United States of America and all countries foreign thereto (including the right to apply for Letters Patent in foreign countries in its own name and to claim any priority rights for such foreign applications to which such applications are entitled under international conventions, treaties, or otherwise), in and to said invention as described in said application, and in and to all Letters Patent granted therefor, and all divisions, reissues and continuations thereof, and I hereby authorize and request the Commissioner of Patents to issue all Letters Patent on said inventions or resulting therefrom to said Assignee, as assignee of the entire right, title and interest, and I covenant that I have full right so to do and agree that I will communicate to said Assignee, or its successors, any and all facts known to me regarding said invention whenever requested and will testify in any legal proceeding, sign all lawful papers, execute all divisional, reissue and continuation applications, and generally do everything possible to aid said Assignee, its successors and assigns, to obtain and enforce proper patent protection for said invention in all countries.

Executed this \_\_\_\_ day of \_\_\_\_\_, 2001.

---

TERRENCE A. TOMKOW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of ) Examiner: Not yet assigned  
TERRENCE A. TOMKOW ) Group Art Unit: 2756  
Serial No. 09/626,577 ) Docket No: RPOST-57228  
Filed: July 27, 2000 ) Los Angeles, California 90045  
For: SYSTEM AND METHOD FOR )  
VERIFYING DELIVERY AND )  
INTEGRITY OF ELECTRONIC )  
MESSAGES ) [205045.1]

**REVOCATION OF POWER OF ATTORNEY  
AND APPOINTMENT OF ATTORNEY**

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Dr. Terrence A. Tomkow hereby revokes all previous Powers of Attorney for the above-identified patent application, and I hereby appoint Ellsworth R. Roston, a member of the Bar of the State of California, and all other attorneys of the law firm FULWIDER PATTON LEE & UTECHT, LLP., Howard Hughes Center, 6060 Center Drive, Tenth Floor, Los Angeles, California 90045, who are members of the Bar of State of California, as our attorneys to prosecute this application to register, to transact all business in the Patent and Trademark Office in connection therewith and to receive the certificate of registration.

Please address all correspondence and telephone calls to:

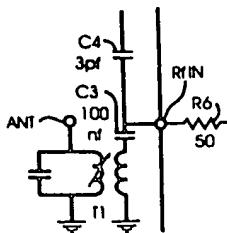
Ellsworth R. Roston  
FULWIDER PATTON LEE & UTECHT, LLP  
Howard Hughes Center  
6060 Center Drive, Tenth Floor  
Los Angeles, California 90045  
Telephone: (310) 824-5555  
Facsimile: (310) 824-9696

TERRENCE A. TOMKOW

Date: \_\_\_\_\_

By: \_\_\_\_\_

Name:  
Title:



# PATENTEC

REGISTERED PATENT AGENTS  
AND SEARCHERS

2001 JEFFERSON DAVIS HWY SUITE 301  
ARLINGTON, VA 22202

Tel: 1-703-418-2777  
Fax: 1-703-418-4777  
info@patentec.com  
www.patentec.com

YOUR REF: 17497/12  
PATENTEC: 6839  
TITLE: E-MAIL ESCROW  
ATTY: Sung Oh, Esq.

DATE: 20 Nov 1999

## REPORT OF NOVELTY SEARCH

### SEARCH CRITERIA:

A system and method for the third party archiving of a verification code for the authentication of the integrity or content of an electronic document; as further described and illustrated.

### PATENTS AND OTHER REFERENCES CITED:

Disclosing third party archiving and authentication of the integrity or content of an electronic document:

5,748,738	S. Bisbee et al	Abstract; Fig. 6; C10L8-16; CL 8, 10, 15
5,615,268	S. Bisbee et al	Abstract; CL 1, 3, 4

Disclosing third party authentication of the integrity or content of an electronic document:

5,872,848	B. Romney et al	Fig. 1,2; C11L33-41
5,781,629	S. Haber et al	Fig. 1

Disclosing other document authentication methods/systems of possible interest:

5,926,550	D. Davis
5,915,024	S. Kitaori et al
5,673,316	J. Auerbach et al
5,661,805	H. Miyauchi
5,606,609	P. Houser et al
5,530,757	H. Krawczyk
4,933,969	A. Marshall et al

### FIELD OF SEARCH:

*Manual subclass searching:*

380/ 23, 25  
713/ 200

*Computer-aided virtual subclass searching:*

VERIF\* and DOC\*, VERIF\* and E-MAIL, VERIF\* and MESSAGE, AUTHENTIC\* and DOC\*, AUTHENTIC\* and E-MAIL, THIRD PARTY and VERIF\*, THIRD PARTY and AUTHENTIC\*, THIRD PARTY and ARCHIV\*, ARCHIV\* and DOC\*, ARCHIV\* and E-MAIL, ARCHIV\* and VERIF\* of classes 380, 705, 707, 713, 714.

ADDITIONAL COMMENTS:

During this search, we looked for a system and method for the third party (1) archiving of a verification code for the authentication of the integrity or content of an electronic document (e.g., e-mail) that is transmitted to a receiver and (2) verification of the transmission of the document to said receiver, for providing sworn verification in legal proceeding of the content and transmission of the document as sent by originator. Also included were disclosures relating to the authentication of the identity of the originator of the document. No restriction was placed on the specific encryption method employed. For background information, we also included patents relating to other authentication methods/systems. Generally excluded, except for examples, were patents relating to document authentication and verification that did not involve a third party.

CITATION REFERENCES REVIEWED:

Earlier US patents cited in 5,748,738, 5,615,268, 5,872,848

Later US patents that cite one or more of 5,748,738, 5,615,268, 5,872,848

COMPUTER DATABASES SEARCHED:

USPTO APS (1971 – 12 October 1999)

INFOSEEK

YAHOO

GOOGLE

LYCOS

SAVVYSEARCH

ALTAVISTA

Very truly yours,



Kenneth Gural, Director  
ElectronTec Division

KG:sb